

PROCEDURES: HOW TO SERVE FAMILY COURT PAPERS BY MAIL OR OTHER DELIVERY SERVICE WITH SIGNATURE CONFIRMATION

USE THIS PROCEDURE ONLY after filing your *family court* papers.

As of January 1, 2006, you may now serve family court papers in-state or out of state (within the U. S.) by certain forms of U.S. Mail or by a nationwide delivery service such as FedEx or UPS, that provides confirmation of delivery by either a signed paper receipt or by electronic means such as by a printout from the internet, by fax, or by email *so long as it includes a copy of the signature itself.*

Note:

- ◆ You must obtain a *signature* confirming delivery;
- ◆ It can ONLY be the SIGNATURE OF THE OTHER PARTY (and no one else);
- ◆ You must submit a copy of the signature to the Court attached to the “*Affidavit of Service with Signature Confirmation*”;
- ◆ You can generally obtain a copy of the signature within a few *hours* of delivery from the delivering company’s web site, or
 - ▶ by a toll-free phone call to have a copy of the signature sent to your fax machine, or
 - ▶ if using U.S. Mail with “Signature Confirmation”, you may also use the same toll-free number to request a printed copy of the signature be *mailed* to you, which should reach any U. S. destination within three to five business days.

STEP 1: GO TO THE POST OFFICE or / FedEx / UPS, etc., and tell the clerk you need *signed confirmation of delivery* and that you will need a copy of the signature. Remembering that only the signature of the other party can satisfy the requirements of the Court, you may also choose to request “**Restricted Delivery**”, that is that no one except the named addressee (the other party) be allowed to sign for receipt of the documents.

STEP 2: GET COPY OF OTHER PARTY’S SIGNATURE. If using Certified Mail, wait for the green receipt card to be returned with the other party’s signature. When you get the green receipt, note the date the other party signed for the papers, and attach the card (or a photocopy of both sides of the card) to the third page of the affidavit. If using some other form of delivery with signature confirmation from the Postal Service, FedEx or UPS,, etc., you may go to the company’s web site to confirm delivery and get a copy of the signature of the party as described in the “Note” above Step 1. Tape that copy of the signature to the third page, as well as the cash register receipt or other proof of mailing.

STEP 3: PAPERS FOR THE COURT

- **COMPLETE:** The “*Affidavit of Service with Signature Confirmation.*” Fill in *ALL* information requested on the form before proceeding. Be sure you fill in the date the other party received the papers. If you are unsure of the date, use the date you received the return receipt card (if using Certified Mail). If you fail to list a date, the court may not process your papers and your case may be delayed and possibly dismissed.

- **ATTACH:** You must attach a copy of the other party's signature confirming receipt of the court documents to the 3rd page of the Affidavit. If using Certified Mail, copy both sides of the green return receipt card and attach either the original or the photocopy to prove how and when you served the other party.
- **COPY:** Make yourself a copy of the entire "**Affidavit of Service by Signature Confirmation**" including the third page with the return receipt card *or copy of other document* showing the signature of the other party acknowledging receipt of the documents *for your records*.

STEP 4: FILE PAPERS WITH THE COURT. File the Original "**Affidavit of Service by Signature Confirmation**" with the green return receipt or other form of confirmation bearing the signature of the other party with the Clerk of the Court at any of these Court locations:

971 Jason Lopez Circle
Florence, AZ 85232

575 N. Idaho Rd, Suite 109
Apache Junction, AZ 85219

820 E Cottonwood Lane, Bldg B
Casa Grande, AZ 85222

118 Catalina
Mammoth, AZ 85618

STEP 5: COUNT. Note the date the other party was served the papers and start counting the days the other party has to file a Response or Answer. When counting the days, start counting with the day **after** the other party signed the receipt.

NOTICE: The Petitioner must serve the Respondent with a copy of the petition and all of the forms filed with the petition within 120 days after the petition has been filed with the Clerk of Court. If service is not complete, your case will be dismissed.